

Title of paper:	Update on the work of the Youth Offending Team in 2009/10	
Report to:	Children's Partnership Board	
Date:	30 th June 2010	
Director(s)/Corporate Director(s):	Mark Andrews, Acting Director of Family Community Teams	Wards affected: All
Contact Officer(s) and contact details:	Ken Beaumont, Head of Family Community Teams (South) Shelley Nicholls, YOT Service Manager	
Other officers who have provided input:		
Relevant Children and Young People's Plan (CYPP) objectives(s):		
Safeguarding and Early Intervention - Children, young people and families will benefit from early and effective support and protection to empower them to overcome difficulties		✓
Strong families - More families will be strong and healthy, providing an enjoyable and safe place for children to grow up		
Healthy and positive children and young people - Children and young people will be healthier, fitter, more emotionally resilient and better able to make mature decisions		✓
Achievement - All children and young people will leave school with the best skills and qualifications they can achieve and will be ready for work or further learning		✓
Economic well-being - Child poverty will be significantly reduced		
Summary of issues (including benefits to customers/service users):		
This report provides an overview of the YOT in 2009/10, including performance in relation to national indicators, early indications of the outcome of the Capacity and Capability Assessment that will contribute to the assessment of Children and Families Services in 2010, and significant developments during 2009/10 and their implications for future performance.		
Recommendations:		
1	The Board notes the content of this report	
2	The Board considers and advises on the content of future bi-annual reports from December 2010 onwards	

1. BACKGROUND AND PROPOSALS

PERFORMANCE FRAMEWORK

Youth Offending Teams are required to comply with a national performance framework determined by the Youth Justice Board (YJB) as a condition of its grant funding, which contributes approximately 45 per cent of Nottingham YOT's total funding.

This performance framework has two separate elements:

- Quarterly reporting to the YJB, particularly in relation to six national indicators, is securely published in a form that allows YOTs to benchmark their performance against comparators. Nottingham's statistical neighbours (in descending order of relevance) are Manchester, Newcastle, Leicester, Bristol, Plymouth, Greenwich, Liverpool and Lewisham.
- An annual performance assessment, based on a self-assessment validated by the YJB. This comprises a performance assessment that reflects comparative performance against statistical neighbours and year-on-year performance improvement, and a capacity and capability assessment to reflect the YOT partnership's capacity for improvement and any risks to delivery.

YOTs are also subject to a core case inspection process carried out by Her Majesty's Inspectorate of Probation. Nottingham YOT was last inspected in February 2007, when it was judged to be "adequate" with good prospects for improvement. It is expected that the YOT will be subject to inspection in the current programme before March 2011.

NATIONAL INDICATOR PERFORMANCE

- a) **Reducing the rate of proven re-offending by children and young people dealt with in the youth justice system (NI 019)** measured by the average number of offences per person committed in a cohort of young people dealt with in January to March of each year over the following 12 months.

Re-offending in the 2009 cohort over 9 months is 35% lower than in the 2005 baseline cohort. At 0.87 offences per person, this was better than the statistical neighbour average (0.92 offences) but higher than the national average (0.81 offences). The average number of offences was slightly higher than in the 2008 cohort, which is likely to have been influenced by a very significant reduction in the number of young people in the cohort between 2008 and 2009, from 363 to 203. This will have resulted in a much greater concentration of young people with more entrenched offending behaviour, and the reduction in the re-offending cohort is much greater than the average for statistical neighbours, with only one (Plymouth) having a greater reduction. This provides further evidence of the significant progress being made in reducing the number of young people in Nottingham who are becoming involved in crime.

Continued improvement is anticipated as a result of new quality assurance processes that have been implemented as a result of legislative changes in 2009 and the accompanying changes in assessment processes that allows a greater focus on the complex needs of the highest-risk young offenders, stronger alignment with partners' offender management processes, and improved access to resources to support exit strategies from YOT interventions to reduce the risk of subsequent re-offending as a result of the development of Family Community Teams.

- b) **Reducing the use of custody for young people (NI 043)** measured by the proportion of young people receiving a court outcome who are sentenced to custody.

The number of young people receiving a custodial sentence in Nottingham has fallen rapidly, with a 24% reduction in 2009/10 compared to 2008/9, and a 42% reduction compared to 2007/8. This reduction is well above the national and statistical neighbours' average, and is exceeded by only two. The total of 70 custodial sentences is the lowest since the inception of the YOT.

Nevertheless, the method of measuring performance means that in terms of the national indicator, Nottingham's performance deteriorated in 2009/10 compared with 2008/9, and against its statistical neighbours. This is due to the national indicator measuring performance by the number of custodial sentences as a proportion of all sentences imposed, and the number of young people sentenced has been falling even faster than the number of custodial sentences. There was a reduction in the numbers sentenced of 25% between 2008/9 and 2009/10, which was much greater than among statistical neighbours, and outweighed the reduction in the use of custody.

It is therefore unlikely that there will be any consistent improvement in national indicator performance as long as the reduction in the number of young people entering the criminal justice system is maintained. However, new processes have been established as a result of a review of cases where custodial sentences were imposed in 2008/9, including a review system for all cases where a custodial sentence has been imposed, and actions to improve compliance and engagement to reduce the risk of breach leading to custody.

c) Reducing inequality in terms of the ethnic composition of offenders on youth justice disposals (NI 044) measured by the percentage of each ethnic group in the total youth justice population.

This compares the proportion of each ethnic group in the youth justice population to the proportion in the general 10-17 population. The most over-represented group in Nottingham is young black people, and after a small reduction between 2006/7 and 2008/9, there was a significant increase in 2009/10. Although the actual number of young black people fell, the reduction was much less marked than for white or mixed parentage young people. Only 14 other YOT areas have a higher level of disproportionality, all of them London boroughs. Of the 26 local authorities where disproportionality was higher than 10% only three are outside London – Nottingham, Birmingham and Sandwell.

With the support of CDP and Police analysts, the YOT carried out research during 2009 to identify factors that would explain the continued over-representation, but this did not identify anything to inform practice. The YOT also obtained analysis of data from 2,000 cases taken from it by the Institute of Criminal Policy Research as part of a YJB research programme, which was similarly inconclusive. This did, however, show that disproportionality did not increase significantly from first entry into the youth justice system, suggesting that the reasons for it pre-date their involvement and that broader partnership attention is required if it is to be addressed.

The YOT has refreshed its diversity audit as a basis for developing a diversity action plan later this year, and has also commissioned a programme, "Passages", to improve its capacity to engage some of its hardest-to-reach young people (predominantly young black men) and reduce breach rates among this group. There has also been extensive investment in new resources to ensure that there are appropriate materials to meet the full diversity of needs.

These actions will help to ensure that the extent of disproportionality does not increase in the course of YOT involvement but will not address the issues that create it in the first place. Further research is required to identify any factors that create a commonality between Nottingham and London boroughs that are not evident in other non-metropolitan cities. This is, however, outwith

the capacity and expertise of the YOT, and the Board may wish to consider how this research can best be achieved.

- d) Increase the number of young people supervised by YOT in full-time education, training or employment (NI 045)** measured by the proportion of young people in full-time provision (25 hours or over for school-age young people, and 16 hours or over for those over statutory school age) at the close of their YOT intervention.

Following steady improvement and a narrowing gap to statistical neighbour and national performance from 2007 until the end of 2008, progress slowed during 2009, and it was apparent that the measures which had been successful in improving performance previously were no longer having sufficient impact. The YOT developed a radically different approach to improvement, which concentrates on continual monitoring of young people's ETE status throughout their involvement with the YOT, rather than a snapshot of their status at the end. This allows a focus on individual problems as they arise, and identifying barriers in the system that delay or prevent access to services. This requires significant engagement from schools and other ETE providers for those of school age and those above it if sustained improvement is to be achieved, and an action plan has been developed to ensure this engagement.

It was anticipated that it might be several quarters before the impact of this approach became evident in NI performance but early indications are promising. Monthly tracking of current ETE engagement of all young people supervised by the YOT has shown an increase from 55% in January to 64% in March. Overall performance in Q4 was the highest recorded by the YOT, and only three statistical neighbours performed better. The improvement was particularly marked for those of statutory school-age, with 80% being exceeded for the first time.

- e) Increasing the proportion of children and young people who have suitable accommodation (NI 046)** measured by the proportion of young people in suitable accommodation at the end of their YOT orders.

Until the middle of 2008/9, Nottingham's performance was consistently above the statistical neighbour and national average, but has since fallen slightly below it (94.9% in 2009/10 compared to 95.8% in 2008/9 and 98.5% in 2007/8). The actual number of young people who do not have suitable accommodation remains small, averaging 8 per quarter since the middle of 2008/9, but this is almost twice the average for the previous two years. An audit of relevant cases has been carried out to establish the reasons for this change but has not identified any clear pattern.

The impact of the development of an Intensive Intervention Project targeted at young people with chaotic and unsupported lifestyles should be evident as cases where there has been IIP involvement begin to close. The needs of young people supervised by the YOT will be more strongly reflected in re-commissioning of Supporting People contracts but arrangements are already in place for dedicated bed-spaces with two providers, and specific support is available to vulnerable young people to maintain them in accommodation through Integrated Resettlement Support.

The YOT, Children's Social Care and Housing will share the costs of a social worker to be seconded to the Housing Single Gateway for six months to support improved assessment and problem-solving of young people presenting as homeless, including those supervised by the YOT.

- f) Reducing the number of first time entrants to the youth justice system aged 10 – 17 (NI 111)** measured by the number of children and young people receiving a formal youth justice system outcome expressed in terms of the number per 100,000 of the 10-17 population.

This indicator is part of the Local Area Agreement, and is measured from PNC data provided by the Ministry of Justice rather than from the YOT's own system. PNC data is, however, only available annually, and quarterly performance is tracked through YOT data as a proxy.

Nottingham has one of the strongest reductions in first-time entrants in the country, with a reduction of 57.6% in the number of first-time entrants since the baseline year of 2005/6. This is well above the national and statistical neighbour average, and exceeded by only one of its statistical neighbours, although the gap to the family average has narrowed in the past year as others have improved rapidly. Despite this huge reduction, Nottingham still has the second-highest rate of first-time entrants compared to statistical neighbours with 1,753 per 100,000, and only five local authorities have a higher rate – Blackpool, Newcastle, Peterborough, South Tees, and Sunderland.

The remodelling and re-commissioning of Youth Intervention Programmes as part of Targeted Youth Support in 2010, and the development of Family Community Teams to provide more consistent and effective identification of vulnerable children and young people, are expected to strengthen prevention and early intervention and ensure that progress is maintained.

CAPACITY AND CAPABILITY ASSESSMENT

This was completed in April 2010, and will contribute to the Children's Services assessment later in the year. It assesses both the internal capacity and capability of the YOT, and that of its partnership, to deliver continuing improvement. It is currently subject to the YJB's internal quality assurance process but the initial indication is that the YOT partnership will be judged to be performing adequately against National Indicators, and with good capacity and capability to sustain and improve performance. The final judgment is expected to be agreed by the end of June.

OTHER DEVELOPMENTS IN 2009/10

a) The Youth Rehabilitation Order and the Scaled Approach to Youth Justice

The Criminal Justice and Immigration Act 2009 was implemented in November 2009 and led to significant changes in the youth justice system. The main change was the introduction of the Youth Rehabilitation Order (YRO) as the new generic sentence for young offenders. This replaced most current disposals other than 'first tier' (such as conditional discharges, fines and referral orders) and third tier (custody), with the aim of simplifying sentencing while improving the flexibility of interventions. It represents a more individualised risk and needs-based approach to community sentencing with a greater 'menu' of requirements, such as activity, education or electronic monitoring.

Alongside the YRO, a new approach to risk assessment was implemented. This was a national development supported by a YJB training programme which introduced a tiered approach to interventions, based on risk of reoffending and risk of serious harm. This ensures that both the intensity and type of interventions is tailored to the individual assessment of risk presented by each young person, rather than the "one size fits all" approach previously required.

This is a very significant change in established practice for the YOT, and presents real challenges in maintaining current standards as operational staff and managers adapt to very different ways of working. Given that the level of intervention is dictated by the assessment of risk, there is an imperative to ensure that there are effective systems for information and intelligence flows from partners.

b) YOT reorganisation

In November, the YOT was reorganised from a functional to a geographic model to reflect the local delivery arrangements for Children's Services and its partners. This enables it to engage more effectively with local arrangements to reduce the risk of reoffending, protect the public, and meet the needs of young people by accessing local resources.

This has a number of benefits, including

- Greater continuity in the management of young people from their first encounter with the YOT through subsequent court orders within the same team
- Closer engagement with and understanding of local communities and networks
- More direct access for partners to improve communication and joint working
- Clearer alignment with the developing Family Community Teams structure

Alongside the new locality structure, specialist teams will be retained to ensure rigorous management of those who present the greatest risk of reoffending and harm to others, and to ensure a consistent approach in courts. Arrangements for seconded staff will be unchanged within this structure, although their location within teams may change.

c) Reduction in youth crime and disorder in Nottingham

The performance section of this report refers to evidence of a much greater decline in youth crime than is evident in our statistical neighbours, including many fewer first-time entrants to the youth justice system, and a big reduction in the number of young people being sentenced by the courts which has also led to youth court sittings being reduced for the first time since the early 1990's. This is increasingly being reflected in reducing YOT caseloads, although this is not yet fully reflected in workload, as the major pressure on resources is from young people with complex needs whose offending behaviour is more deeply entrenched.

YOT data is, however, restricted to offences for which there has been a conviction, and does not include anti-social behaviour. CDP research has now demonstrated that this is a real reflection of the reducing incidence of youth crime and anti-social behaviour. It shows that between 2006/7 and 2008/9, there was a 39% decrease in reported youth crime, and a 31% reduction in reported youth anti-social behaviour.

2. RISKS

Appendix 1 outlines actions to address risks identified through the Capacity and Capability Assessment, and this is likely to form the core of the Youth Justice Strategic Plan that is required later in 2010, and will be incorporated within a Youth Crime Prevention Action Plan for 2010-11.

3. FINANCIAL IMPLICATIONS

There are no direct implications from this report, although the Board may wish to note that 45% of the YOT's funding is provided by the YJB, and that some part or all of this may be vulnerable to Government decisions on spending constraints, and would have significant impact on YOT delivery.

4. LEGAL IMPLICATIONS

None

5. CLIENT GROUP

All children and young people in Nottingham.

6. IMPACT ON EQUALITIES ISSUES

Diversity issues are referred to in relation to proposed actions to secure improved performance in relation to NI 044 in the performance section of this report.

7. CONTACT DETAILS

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Appendix 1: YOT partnership improvement plan

Objective	Action to overcome risk	Success criteria	Owner	Deadline
Ensure a consistent approach to Assessment, Planning Interventions and Supervision	Implement the YJB Quality Assurance process for assessments and intervention plans, and audit outcomes to identify areas for improvement	Team Managers complying fully with process	Service Manager, YOT	30.04.10
	Review APIS on the basis of findings from Quality Assurance process and develop improvement plan	Improvement plan completed and implemented	Service Manager, YOT	30.06.10
	Ensure Workforce Development Strategy and Training Plan reflect findings from QA process	Amended training plan reflects QA findings	Service Manager, YOT	31.07.10
Ensure that YOT Board decisions are informed by understanding of the needs and risks of young people and the effectiveness of interventions	Report quarterly to the YOT Board on findings of aggregated data from start and end ASSETs	Reports to YOT Board from June 2010 onwards	Service Manager, YOT	31.05.10
	Arrange biannual Board development sessions to strengthen knowledge of YOT activities	Session in June 2010 and 6 monthly thereafter	Independent Chair of YOT Board	30.06.10
Ensure the YOT has sufficient resources to deliver youth justice services to meet needs and requirements from April 2011 onwards	Complete refresh of service level agreements and protocols with partners	All SLAs/Protocols updated and signed off	Service Manager, YOT	30.06.10
	Complete needs assessment of youth justice services to inform decisions about YOT resources	Needs assessment completed for report to Board in September	Head of Family Community Teams (South)	31.07.10
	Identify opportunities for developing new ways of working as a result of reducing workloads.	Proposals completed for report to Board in September	Head of Family Community Teams (South)	31.08.10
	Agree basis for funding and staffing of the YOT from 2011 onwards	Partnership agreement following report	Independent Chair of YOT Board	30.09.10
Ensure the YOT provides a sufficiently responsive service to meet the full diversity of needs	Complete Diversity Plan on the basis of the completed Diversity Audit and findings from the completed research	Diversity Plan completed and approved by Board	Service Manager, YOT	31.06.10
Ensure that young people supervised by the YOT have	Complete protocol for placement of social worker in Housing Solutions and evaluate	Evaluation completed and future arrangements	Service Manager, YOT with Social	30.09.10

Objective	Action to overcome risk	Success criteria	Owner	Deadline
adequate access to universal and targeted services	impact after 6 months	agreed	Care and Housing	
	Agree local interpretation of "suitable accommodation" definition from <i>Children (Leaving Care) (England) Regulations 2001</i>	Interpretation agreed, added to protocol and communicated to relevant staff	Service Manager, YOT with Social Care and Housing	30.06.10
Ensure that Nottingham's partnerships have the resources to deliver sustained reductions in first-time entrants from April 2011 onwards	Complete the re-commissioning of youth intervention programmes as part of Targeted Youth Support arrangements	New service arrangements in place by October 2010	Service Manager, Targeted Youth Support	30.09.10
	Evaluate the impact and cost-effectiveness of YCAP funded programmes	Evaluation completed	Service Manager, Targeted Youth Support with CDP and Police	31.08.10
	Provide business case for mainstreaming effective and successful YCAP programmes (assuming end of funding in 2011)	Report to CDP / YOT Board with proposals for future service delivery	Head of Family Community Teams (South) with CDP and Police	30.09.10
	Evaluate opportunities for joint commissioning with CDP-funded youth crime projects	Agreement with CDP on future arrangements	Head of Family Community Teams (South)	31.10.10
Ensure that young people completing YOT interventions have a sufficient assessment of needs to support exit strategies	Ensure that exit strategies from YOT interventions are supported by a full assessment of needs through the Common Assessment Framework	All young people without a pre-existing CAF completing YOT interventions have a CAF commenced by the YOT	Service Manager, Targeted Youth Support	30.06.10
Ensure that young people released from custody have timely access to training to sustain progress in custody	Complete problem profile for use in negotiations between the Director of Young People's Learning and Skills to address with FE providers	Problem profile completed	Service Manager, YOT	30.06.10
Ensure the YOT has robust procedures for ensuring the systematic assessment of risk of serious harm	Ensure the full implementation of the YJB Quality Assurance process for ROSH	Team Managers complying fully with process	Service Manager, YOT	30.04.10
	Audit findings from QA process to identify areas for improvement	Improvement plan completed and	Service Manager, YOT	30.06.10

Objective	Action to overcome risk	Success criteria	Owner	Deadline
		implemented		
Ensure the YOT can demonstrate consistent standards in all of its safeguarding practice	Ensure the implementation of a safeguarding action plan based on the Section 11 audit	Action Plan completed and implemented	Service Manager, YOT	30.06.10
	Ensure that understanding of safeguarding practice for all staff is reviewed as part of the annual PDR process	Evidence of review from PDR process	Service Manager, YOT	30.06.10
Ensure the YOT effectively uses feedback from young people and parents / carers to inform service development	Ensure that an agreed format for user feedback is commissioned and fully implemented	Evidence of full completion of <i>What do you Think</i> or agreed local alternative	Service Manager, YOT	30.06.10
	Ensure Quality Assurance process monitors completion of user feedback format	Team managers complying fully with process	Service Manager, YOT	30.06.10
Ensure the YOT offers a consistent level of service to victims across its full caseload	Assess the resilience and viability of the current model for delivery of victim services and consider alternative models of delivery	Assessment and options paper to September YOT Board	Head of Family Community Teams (South)	30.10.10
Ensure the YOT contributes effectively to neighbourhood planning and engagement with citizens and local partners	Ensure YOT locality managers are fully engaged in local multi-agency meetings and public fora	Full attendance at specified meetings	Service Manager, YOT	30.09.10